



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

March 12, 2020

CBCA 6594-RELO

In the Matter of GWANNETTE M. CLAYBROOK

Gwannette M. Claybrook, Houston, TX, Claimant.

Brenda J. Bobbitt, Director, Travel Management, Internal Revenue Service, Department of the Treasury, Washington, DC, appearing for Department of the Treasury.

DRUMMOND, Board Judge.

In 2017, Gwannette M. Claybrook relocated from Nashville, Tennessee, to Houston, Texas. Her travel orders authorized the transportation and storage of 18,000 pounds of household goods (HHG), plus an additional 2000 pounds for packing material, via a government bill of lading (GBL). The total weight for shipment and storage was 22,360 pounds. The agency paid the carrier \$3067.08 for the excess weight of 2360 pounds. The agency billed Ms. Claybrook for the excess weight and subsequently denied her request to waive the debt.

Ms. Claybrook disagrees with the agency's assessment of a debt for the portion of HHG moving expenses attributed to excess weight. She points out that her HHG incurred substantial damage for which she has only partially been reimbursed. Primarily, she challenges the agency's assessment of the debt and denial of her request for a waiver of the debt under the circumstances.

Discussion

The Federal Travel Regulation (FTR), at 41 CFR 302-7.2 (2017) (FTR 302-7.2), addresses the maximum weight of HHG that may be transported or stored at the Government's expense. In part, it states, "In no case may a shipment weigh over 20,000

gross pounds (the 18,000 pounds net weight allowance of the uncrated HHG plus the 2,000 pound allowance for packing materials).” Ms. Claybrook does not argue the agency misapplied the regulations or dispute the debt calculation.

While it is unfortunate that Ms. Claybrook’s shipment was damaged, she is still liable for the excess charges. *See George B. Brown*, GSBCA 16361-RELO, 04-2 BCA ¶ 32,759 (employee who did not receive all of his household goods because some went missing remained liable for the cost associated with the excess weight). We do not have authority to waive a debt or to review an agency decision to deny a request for waiver. *Anthony W. Reed*, CBCA 6197-RELO, 19-1 BCA ¶ 37,230, at 181,218 (2018) (citing *Evan F. Meltzer*, CBCA 1536-RELO, 09-2 BCA ¶ 34,272, at 169,317). The authority to waive a debt belongs to the head of the agency from which the debt arose. *Id.*; *Richard Rosa*, CBCA 3293-RELO, 13 BCA ¶ 35,339, at 173,460.

There are no circumstances shown here that would enable us to grant any relief.

Decision

The Board dismisses this case.

Jerome M. Drummond
JEROME M. DRUMMOND
Board Judge